Liberating Gender for Jews and Allies

Liberating Gender for Jews and Allies:

The Wisdom of Transkeit

Edited by
Jane Rachel Litman
and Jakob Hero-Shaw

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TABLE OF CONTENTS

Acknowledgments viii

Introduction 1
Rabbi Jane Rachel Litman and Reverend Jakob Hero-Shaw

Section I: Our Traditions 13

Chapter One 18
Gender and *Tanakh*: Exploring Rabbinic Interpretations of Gender and Sex in the Hebrew Bible
Rabbi Rona Matlow

Chapter Two 26
"He Is a Creation onto Herself": Gender Assignment in the Talmud
Rabbi Jane Rachel Litman

Chapter Three 34
Gender Fluidity, the *Cherubim*, and the Divine Presence
Rabbi Fern Feldman

Chapter Four 42
Transgender Affirmation in the *Mikveh*: A Proposal for a New Ritual
Rabbi Emily Aviva Kapor-Mater

Chapter Five 54
Supporting the *Chevra Kadisha*/Burial Society through Transition
Noach Dzmura

Section II: Our Arts 63

Chapter Six 68
Choosing to be Chosen: A Film Showing the Striking Similarities between Conversion and Transition
Martin Rawlings-Fein

Chapter Seven 73
A Postcard from the *Effeminati*
Rabbi Irwin Keller

Chapter Eight 79
Body of Faith: My Twilight Journey
Surat-Shaan Knan

Chapter Nine 86
Say Their Names: A Trans Jewish Call for Abolition
Enzi Tanner

Chapter Ten 91
The Power of the Lord
Mya Byrne

Chapter Eleven 96
The Beautiful Fringe: My Jewish Journey of Revolution, Gender, Queerness, and Love
Kohenet Ariel Vegosen

Section III: Our Life Stories 101

Chapter Twelve 107
Leslie Feinberg: Anti-Racist White, Working-class, Secular Jewish, Transgender, Lesbian, Female, Revolutionary Communist
Dr. Marla Brettschneider

Chapter Thirteen 113
A Conversation with Kate Bornstein
Rev. Jakob Hero-Shaw

Chapter Fourteen 120
She Said: I Know What It's Like to Be Dead
Dr. Joy Ladin

Chapter Fifteen 124
Yad VaShem
Rabbi Dr. Levi Ethan Alter

Chapter Sixteen 129
In/Difference: Snapshots of Belonging
Zebulon Hurst

Chapter Seventeen 134
To Be Read as True
Jericho Vincent

Section IV: Our Allies 139

Chapter Eighteen 144
In the Neighborhood: Reflections on Allyship
Rev. Jakob Hero-Shaw

Chapter Nineteen 152
An Essay from Turk and Taylor, in the Era of Black Trans Lives Matter
Levi Maxwell

Chapter Twenty 159
Trans Jewish Cultural Competency in Psychotherapy
Dr. Abigail Weissman

Chapter Twenty-One 168
Transparent Rabbi: An Evolving Ally
Rabbi Susan Goldberg

Glossary 173

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Our colleagues at CLGS know that only genuinely intersectional work can address the lives and concerns of queer people, our families, and our religious/spiritual communities. We also understand that our complex individual and communal identities must inform all of our joint work, and that when we honor the many different facets of who we are as human beings – including our gender identities, sexual orientation, race, class, spirituality, physical abilities, family structures and cultural backgrounds – we reap the rewards of collective growth and trust. We particularly thank Dr. Bernard Schlager, the Director of CLGS, for his extraordinary leadership, assistance, and patience. We offer a special thanks to Erin Grace Burns for the cover design, to Jonah Gelfand for the skillful copy-editing, and to Jay Michaelson for his assistance with the glossary.

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Lastly, as allies to Indigenous Americans, we acknowledge that the conference that led to this volume, and the work of writing and editing it, almost entirely took place on land stolen by violence, deception, kidnapping, rape, and ultimately the genocide of its native people. We call on all our readers to support meaningful reparations for Indigenous and Black Americans.

INTRODUCTION

RABBI JANE RACHEL LITMAN AND REVEREND JAKOB HERO-SHAW

Most of the essays in this volume were originally conceived at a groundbreaking conference, *Transkeit: Affirming Gender Diversity for Jews and Allies*, sponsored by the Center for LGBTQ and Gender Studies in Religion (CLGS) at the Pacific School of Religion. In order to promote the full inclusion and centering of often marginalized voices, the work of the Center is primarily accomplished through culture specific roundtables. The Center includes African American, Asian/Pacific Islander, Jewish, Latinx, and Trans roundtables. The Jewish Roundtable was founded in 2016, and the conference was its first major undertaking. It was soon decided that the Jewish and Trans roundtables would jointly sponsor Transkeit, and thus bring to the convening CLGS's intersectional approach, emphasizing inclusivity and diversity as two of our core values.

The Transkeit gathering hosted trans Jews and allies from throughout North America, Europe and Israel. It was the first time that trans Jews and allies came together to explicitly voice our unique perspective. Transkeit was fully sold out within two weeks of the first public announcement. Our vision, as the organizers of Transkeit, was to provide a platform for emergent thinking on Jewish trans identity and to host spaces in which small groups of attendees could share personal stories and ideas. The conference included large sessions and affinity groups based on both interests and identity commonalities.

Registrants were asked if they wished to present in peer groups. After the conference, we asked those who presented to contribute an essay on their presentation for this anthology. As we reviewed the essays, we found that they naturally divided into four subjects, and this is how we have organized the book. One topic of interest was Jewish tradition and practice for trans people, including text analysis and observances involving the body such as *mikveh* (ritual immersion) and *tahara* (funeral preparation). Another subject was the arts. At Transkeit, several artists presented their work, either in draft or finished form. Our community is greatly enriched

by the creative talent of so many of our members, and this volume presents a sampling by a video producer, a photographer, an actor, a musician, a poet, and a rabbi who is also a professional drag queen.

We also felt it important to include pieces that focused on allies by our comrades who are not Jewish or not trans, or by trans Jews who directed their writing to offer thoughts and perspectives mainly to allies. Lastly, we realized that a number of essays told the story of a specific person. Two of these are the life journeys of our leaders Kate Bornstein and Leslie Feinberg. The others represent and voice path breakers in their own worlds. The stories of Jewish BIPOC, Orthodox, genderqueer, and those who come to Jewish identity as adults have important lessons for all of us. In this spirit of personal narrative, we thought we would begin by telling about ourselves. We have much in common as trans queer activist clergy members, yet our stories are also quite different.

Jane's Story

Jane is a rabbi in their sixties. She was the first openly queer person admitted to rabbinical seminary. Jane was raised in suburban Los Angeles, in a Jewish neighborhood in the hills. This subdivision was newly built and backed into undeveloped wilderness. Jane spent most of her childhood reading books and wandering the fire roads in search of snakes, wild beehives, and coyotes. Jane's father was a psychoanalyst and spoke disparagingly of "religion," though the family had a significant cultural Jewish identity. He would read the gory stories from the Hebrew Scripture to Jane and her sister and say things like, "This is how religious people act." Lucky for Jane, the coyotes, snakes and bees had other ideas and told different stories.

Jane attended UC Berkeley in the early seventies and "majored" in feminism and ending the Vietnam War. Somewhere in there, between the protest marches and consciousness raising groups, she managed to get a degree. Jane had intended to become a doctor, like her father and uncles, but around the beginning of sophomore year she realized she wasn't as interested in biology as in Jewish intellectual thought. Over the course of the next two years, she stopped taking science classes and enrolled in more religion classes, and eventually ended up with a Bachelor's degree in Jewish Studies.

In 1975, Jane applied for and was admitted to rabbinical school, in the closet, since being bisexual – no problem at all in Berkeley – was grounds for expulsion from seminary in those days. Looking back, Jane sees that the rabbinate was also a gender identity refuge, in that in those days the

gender expectations for a "woman rabbi" were significantly different from those of a "woman." The first year was in Jerusalem. There were only a handful of women in the class, and the Israeli political environment was a shock for Jane, who had been raised, like so many other suburban American Jewish children, to think that Israel was a Jewish feminist socialist utopia. Realizing that closeted life was unbearable, Jane took a leave of absence.

Jane continued her graduate education in Berkeley, and spent those years as a butch bisexual, and often in boi drag. She served on the board of a Jewish institution that occasionally met in an Orthodox *shul* (synagogue). She felt some measure of satisfaction when the *shul* attendant put *kippot* (head coverings) on all the men's heads, stopped for a moment and put a *kippah* on her head. She returned to seminary nine years later when friends invited her to be the test case for queer admission. Seminary was not all that pleasant, in that there was considerable backlash against the decision to admit lesbian, gay and bisexual students. Trans students were not even considered. However, there was a small queer underground, and Jane is grateful to those colleagues who gave each other the support to endure and succeed. Over time, Jane's attraction to Jewish intellectual thought developed into an appreciation and practice of Jewish spiritual as well as intellectual values.

As a rabbi, Jane taught at secular and religious universities, and eventually served two different LGBTQ outreach congregations, during the AIDS epidemic and lesbian gayby boom. Though Jane was part of a close-knit queer community in both Los Angeles and the Bay Area, and had many trans friends, Jane mostly thought of herself as gender non-conforming rather than trans. Understanding gender as performative, Jane would say that she was a proudly poorly performing woman, or possibly if gender was attached to any body part, that she was a brain. Jane gave birth to two children during this time, and her body changed to be considerably less boyish. Jane liked her skinny boi body and also likes her big mom body.

Though through most of her life, Jane would have said she was a gender non-conforming woman, now Jane identifies as nonbinary or genderqueer, and as a member of the broader trans community. Jane feels deeply grateful to have a career that has made them a better person, both ethically and politically. They have always felt drawn to trans people, to the courage and authenticity of the trans life. Editing this volume is Jane's professional dream. Jane also wants to express their thanks to Jakob, their partner in this endeavor, for his incredible talent and support. He could not be a better ally.

Jakob's Story

Jakob is an ordained Christian minister in his forties. He left his hometown of Tampa, Florida, after college graduation with the deeply held belief that he would do many things in life, but he would never do 3 things: get married, live in Tampa again, or pastor a church. However, the universe had other plans. Jakob and his husband now live in Tampa, with their two children, about a mile from Jakob's parents. Jakob became the Senior Pastor of the Metropolitan Community Church of Tampa in 2015.

Jakob grew up in a household that was not particularly religious. His earliest memories of spirituality came from a rustic summer camp in the northern Georgia mountains, where he discovered that sunshine on his skin and dirt on his clothes were sacred connections to the Divine. Jakob was raised by two university professors, whose lives and identities were shaped around the value of community and hospitality. Jakob and his older brother grew up in a household that was often home to kids and adults who needed the refuge that his childhood home could provide. Jakob and his brother grew up alongside of exchange students, friends of the family, kids who were thrown out of their homes for being queer, and others who needed a safe place to land. Creating safe and loving spaces of community would continue on as a theme for Jakob long after childhood.

Jakob's parents also believed in fostering creativity and allowed him to find his own path academically, religiously, and in his gender. Jakob knew there was something different about himself at a very young age. As a result, he had a variety of coming out experiences in his life, starting in middle school, when he did not have a name for what he was, but knew he was different. In high school, Jakob was lucky to find another person whose differences matched his own. While they would part ways—as is often the fate of young love—these early empierces of an unnamable sameness helped Jakob first find the courage to utter the words, "I think I am a guy."

During a multi-year journey of coming out and self-discovery, Jakob spent his college years transitioning into an identity and reshaping his body so that it finally felt like home to him. Jakob graduated with a degree in Religious Studies from the University of South Florida. During this time, Jakob started to develop an interest in inter-religious work and a passion for queer activism.

After completing his university studies, Jakob was craving a fresh start and moved to Europe, after some months spent in Berlin and Prague, he settled down in Zagreb, Croatia, where he taught English and worked for a nonprofit organization that supported LGBTQ+ people throughout the

former Yugoslavia region. Jakob was the co-director of the *Transgressing Gender Conference*, the first international conference on gender identity in Southeastern Europe.

Jakob returned to the United States, still convinced that Florida was the wrong place for him, he settled first in San Francisco, and later in Berkeley, California, where he attended seminary at the Pacific School of Religion (PSR). It was at PSR that Jakob finally learned how to feel fully comfortable in his identity and faith. He found a sense of refuge in the stack of books and the complexity of academic language. The library at the Graduate Theological Union was Jakob's favorite place of refuge in his 5 years at PSR. Jakob was unwilling to stop studying, and after finishing his Master of Divinity, Jakob also completed a Master of Arts degree in ethics and social theory and a Graduate Certificate in sexuality and religion. In his time at PSR, Jakob took classes at Graduate Theological Union's Center for Jewish Studies and learned some of the work that was needed in his own journey to being a good ally.

After seminary, Jakob could no longer ignore an ever-increasing call he felt to move back to Tampa, Florida. Jakob grieved the end of seminary as if he were grieving a death. From that deep well of grief, Jakob realized the need for connection that he felt throughout seminary. He approached CLGS about creating a Transgender Roundtable, which Jakob was hired to lead remotely, from Florida. The Transgender Roundtable at CLGS helped to create the Transgender Seminarian Leadership Cohort, which is a nationwide program for training and mentoring trans, nonbinary, and gender nonconforming students in seminary and other training programs for religious leadership. Locally, in Florida, Jakob worked initially as a chaplain, specializing in palliative care. He later was selected as the senior pastor of the Metropolitan Community Church of Tampa, a Christian church whose members are predominantly LGBTQ+. Jakob remains committed to interfaith work, both with CLGS and in his role as pastor.

Although he had been certain in his younger years that he would never do a few specific things, Jakob learned that there is joy in being wrong. After moving back to Tampa, Jakob fell in love and the earth shifted for him. His beloved, Allan, was a single father, raising twins. Jakob feels incredibly lucky to have been able to join this family officially and legally, through both marriage and adoption. Much like Jakob's own parents, who created a homelife rooted in community and hospitality. Jakob and Allan are raising their kids with an understanding of the importance of solidarity and social justice.

For most of his life, Jakob has searched for places of connection and safety. He has also sought to create opportunities for connection and safety

for others. Jakob's work with CLGS brings him incredible joy as he is able to foster space spaces and brave spaces for himself and others. Editing this volume is truly an honor. Jakob is deeply grateful for the guidance, help, and loving friendship that his co-editor, Rabbi Jane Rachel Litman, provides him, and for the connection that they have formed in the creation of this project. Jane's compassionate guidance in Jakob's ongoing work to be an ally is truly a blessing.

Trans as an Inclusive Category

Terminology in trans communities varies by geography and culture. Our trans language is changing and evolving over time. Works produced by transgender people and transgender communities even a few years ago include terms that are no longer in usage today. We also see a shift in the way the words are used. Language and terminology are important.

Trans people and our allies will find it is helpful to have a shared understanding and working definitions of the most commonly used concepts and words in the trans milieu. Let's explore the overarching concepts of sexual orientation, gender identity, and assigned sex. Gender identity is the subjective understanding of one's own relationship with masculinity, femininity, and other expressions that are often associated with maleness and/or femaleness. Gender identity is largely a social construct and varies greatly throughout the world. Gender identity often corresponds to pronouns, such as he, she, they, and neopronouns such as xi, per, and hir.

Assigned sex is a legal categorization and also a (sometimes misunderstood) biological concept. Sex is assigned at birth, typically based on the visual appearance of the external genitalia. Babies with a penis are assigned male and babies with a vulva are assigned female. These assigned sexes are printed on legal identification. Chromosomes and hormone levels may vary in people assigned male and people assigned female. A significant number of people learn as adults that their personal genetic or hormonal make-up is more complex than their binary gender assignment at birth. Assigned sex is often viewed as essential or inherent, however it is as socially constructed as gender.

Gender identities are not necessarily dependent on chromosomes or on external genitalia. Anecdotally, it appears that the majority of the population experience gender identities that more or less correspond to the sex they are assigned at birth. The term for individuals whose gender identity corresponds with their assigned sex at birth is cisgender. This word utilizes the Latin prefix cis-, which means "on this side," which is the

opposite of the term prefix trans- which means "on the other side." Cisgender is the name for the category of people who are not transgender, nonbinary, or other forms of gender expansiveness. Most people express as cisgender, even if they themselves have not encountered this term.

Neither trans nor cis speak to sexual attraction; both terms refer to the experience of one's own gender identity as it relates to the sex assigned at birth. There is a common misunderstanding that words like transgender and cisgender refer to sexual orientation. People might look at the acronym "LGBTQ" and assume that all of these letters refer to sexual orientations. Rather, it refers to a broad allied community that is drawn together in shared experiences as sexual and gender minorities. While gay, lesbian, and bisexual all refer to the attraction one feels to those with the same, similar, or different gender expressions, the term transgender does not speak to sexual or romantic attraction, but rather the gender experience of the individual, regardless of sexual attraction.

This acronym LGBTQ becomes even more complex with the addition of the term "queer." Queer can refer to sexual attraction. In this case queer is often a more inclusive term that speaks to sexual attraction to multiple genders, or sexual orientation that is not limited by gender. Queer can also be used to describe one's own experience of gender identity, such as the term genderqueer. One way to understand the distinction between gender identity and sexual orientation is that one's gender identity speaks to who a person is and who they want to be, it is about one's own relationship with the embodiment of their own gender. On the other hand, sexual orientation speaks to the romantic and sexual feelings and desires that an individual experiences. Sexual orientation often focuses on the gender identity of the romantic partner, but there are also people who are asexual or have sexual attractions that are not about the gender identity of partners.

Cisgender people can be straight, gay, lesbian, bisexual, asexual, queer, and questioning. Transgender people can also be straight, gay, lesbian, bisexual, asexual, queer, and questioning. In contemporary English-speaking communities it is commonly accepted to use the word transgender as an adjective, but not a noun. In other words, we would say a transgender person. The adjective, transgender, modifies the noun, person. This is intentional, it prioritizes the humanity of the transgender person. Likewise, the word transgender is never a verb. A trans person transitions to their self-defined gender. To transition, a verb, means to socially and/or medically change one's identifying features and social location from one gender presentation to another. When we speak of trans people, we focus on the gender one lives in, rather than the sex assigned at birth. A trans woman is typically a woman who was assigned male at birth and socially

has transitioned to a female gender identity. Hormone therapy and surgical interventions are often used to feminize the trans woman's physical appearance. A trans man is typically a man who was assigned female at birth and has transitioned socially to a male gender identity. Likewise, a trans man might use hormones and surgery to masculinize his physical appearance. Trans people's gender identities are not dependent on the medicalization of their bodies. Medical technology has allowed countless trans people to feel more comfortable in their presentation, but the gender reality of the trans person is not tied to specific medical interventions.

The trans community is diverse and there is not one singular trans narrative or only one way that trans people identify. Trans is an umbrella term. Some trans people identify as nonbinary, gender nonconforming, gender anarchists, and gender queer. The only way to know someone's gender is to ask. The language of the trans community has evolved over time. Not long ago, the term transsexual was in common usage, to denote those who utilized medical intervention to physically transition. This term is not as commonly used today. Likewise, the terms transwomen and transmen have shifted to trans women and trans men. This change may appear subtle, but is it an important distinction for those who use this language to speak to their own identities. By adding a space into the word, the first part, trans, indicates that the man or woman is a trans person. As a compound word transman or transwoman seemingly implied that the transness of the individual took away from their identity as a man or a woman.

The contributors to this text have utilized the terminology that speaks to their truth and life experiences. The editors of the text acknowledge that the words that are most accurate and relevant now might shift and change in time. In this text, we seek to speak of trans as an inclusive category, erring on the side of inclusion rather than exclusion. This community is continually drawing the circle wider. In the varying gender experiences of our communities, we recognize the value of seeing ourselves in the narratives and stories of others whose lives might reflect some semblances of our own, our beloveds and our comrades in the gender journey.

Transkeit as an Inclusive Project

The initial mandate for the Transkeit gathering came from Nehirim, an organization for LGBTQ Jews founded in 2004 by Jay Michaelson, who is now an affiliated scholar with CLGS. When Nehirim ceased operations in 2015, it bestowed both its future program ideas and grants elsewhere. CLGS was fortunate to receive the generosity of vision and resources that

allowed for the founding of the Jewish Roundtable and the initial planning of the conference, the first of its kind.

Several questions immediately arose: Who was the target group? What should the gathering be called? We quickly decided that we wanted the gathering to be co-sponsored with the Trans Roundtable and to be inclusive, to welcome allies as well as trans Jews. We opened it up to everyone: Jews and non-Jewish allies, trans and non-trans allies, who felt that they could contribute and grow from being in community with others who cared about trans Jewish people. We are particularly proud that CLGS's interfaith trans seminarian cohort attended.

The name was more difficult. The gathering, though multinational, was centered in the Diaspora, not only geographically, but ideologically. The language of the conference was English and this was the first language of nearly all of the attendees. Many of those who would come were secular. We felt that a Hebrew name coupled with the Center's religious mission, might have implications about attendee religiosity. We wanted people who identify as cultural Jews and allies to feel comfortable attending. We also wanted to convey that all levels of knowledge were welcome and that people didn't need to know Hebrew in order to be at the conference.

However, we wanted a name that "sounded Jewish." We agreed to choose something in Yiddish, mindful of the historic tie between Yiddish and progressive organizing in North America. After a couple somewhat humorous possibilities, we settled on the simplicity of "Transkeit," which then became the name of the conference and this anthology. The suffix "keit" in Yiddish roughly translates to "ness" in English. It is relatively easily recognized by many Jewish and Jewish-adjacent English-speaking people since it is part of commonly used Yiddish words such as Yiddishkeit, menchlechkeit (human decency), and norishkeit (nonsense). It is easy to pronounce, and linked to "trans" expresses the breadth and depth of our identities and ideas.

However, the use of Yiddish, like Hebrew, (and English for that matter) is not entirely unproblematic. Though most Diasporitic Jews are Ashkenazic (Northern/Central European heritage) and descended from people who spoke Yiddish, this is not true for all Jews, even in Berkeley, California, the location of the conference, and not for the constituency of the gathering. Throughout the world, a significant minority of Jews are not of European heritage. Many Sephardic (Spanish heritage) Jews, Mizrahi (Persian/Arab heritage) Jews, Jewish BIPOC, and people who joined the Jewish community as adults do not have a direct Yiddish heritage. Our allies are from many diverse backgrounds. We are aware that the use of Yiddish is often Ashkenormative and might marginalize non-Ashkenazic

Jews. We hope that all Jewish languages might be the shared heritage of the entire people, but we acknowledge this might not be the case. Both of us are white; Jakob is Protestant and Jane is an Ashkenazi Jew. While we worked hard to include and center diverse voices, we understand that more work is always necessary.

Who is this Publication for?

This book centers the voices of trans, nonbinary, and gender-creative Jews, allies, and all who are committed to solidarity with these intersecting identities and communities. The anthology is designed not only as engaging reading, but also as a tool for growth for congregations/religious organizations, classrooms, and individuals. We hope that in its pages readers will encounter ideas that bring comfort, and also find themselves pushed beyond the margins of personal comfort, to consider new ideas and perspectives.

In a congregational/organizational context, this anthology can be used as an educational resource for both the leadership and the larger community. In bringing this text into the congregation, leaders enable the community to learn directly from the perspectives of trans, nonbinary, and gender-creative Jews and allies. This book will help congregations broaden their concept of gender and allyship. For non-Jewish congregations, this text will also help readers gain perspectives on interfaith work and the necessity of solidarity.

In a congregational setting, the essays in this volume will enable leaders to transform their teaching, pastoral and ritual approach, and language. Clergy, in a multitude of contexts, will benefit from a deeper understanding of gender diversity. Making religious spaces more welcoming to people of all genders will prove fruitful for communities, whether they are home to multiple trans people or more traditionally gender-conforming. We encourage synagogue and church educators to assign these readings to both teens and adults. Educators will find that some of the essays will push at the growing edges of those they teach. This is the sacred work of educators in classrooms and in congregations.

In an academic context, professors and students will discover this collection is an invaluable tool for research and reflection. Academia is woefully ill-equipped for deep reflection in terms of Jewish and Transgender studies. The editors intend that this text be brought into the classrooms of rabbinical schools, non-Jewish seminaries, and universities. We hope that readers will wrestle with the words on these pages, and use

these writings to inform their own ideas, class discussions, research, and writing.

Lastly, this anthology is a powerful resource for individual readers. As editors, we find great inspiration in envisioning those who will encounter this book and find themselves reflected in its pages. We know that for trans and nonbinary Jews, this is an experience that does not happen enough. We are building caring community with this text.

Transkeit is more than just a work of writing, just as the original Transkeit conference was more than a gathering of people. Transkeit is about living the values we hold as trans Jews and allies. We build on the legacy of those who have come before us. We honor those whose lives were stolen from them, and we honor all who have been persecuted, rejected, and told they have no right to exist. This book is proof, we have the right to exist, *you* have the right to exist. We hope that in these pages readers will come to understand that you are seen; you are acknowledged; you are valid and authentic selves.

Together we are building community. We are learning and teaching together. This is the mission of Transkeit. It extends beyond the pages of a book and beyond the wildest imaginations of those who have known isolation and craved community. We are seeing one another and ensuring that we are loved. This is Transkeit.

SECTION I

OUR TRADITIONS

Introduction

Jews are often called "The People of the Book," because text plays such a major role in Jewish observance and thought. The primary texts of Judaism are the Hebrew Bible and Rabbinic writings such as *Midrash* (stories about the Bible) and *Talmud* (extensive legal and narrative compendium c.500 CE). The Zohar, the core narrative of *Kabbalah* (medieval Jewish mysticism), is also considered of importance to many Jewish communities. All Jews throughout history have grappled with this textual tradition and trans Jewish are no exception.

Trans Jews are far from the first group to demand that *Torah* (the first five books of the Bible; all Jewish knowledge) address our concerns. In order to deal with changing circumstances while maintaining textual continuity, the Sages created an "Oral" *Torah* that became a process of interpretation of the Hebrew Bible. The Bible then became known as the "Written" *Torah*, and interpretation replaced direct revelation as the path to God's wisdom. The process of interpretation of norms is known as *halachah* (literally "the way," Jewish law). *Midrash* is also a form of interpretation, narrative in nature, creating new stories based on the ones in scripture. The essays in this first section explore both the *halachic* and *midrashic* processes in order to balance flexibility and continuity from the perspective of trans Jews and allies.

Throughout Jewish history, different communities have had different standards in terms of women's rights, what food is *kosher* (acceptable) or not, what prayers are recited etc. The ongoing nature of *halachah* means that no denominations of Judaism, even the extremely socially conservative streams, are fundamentalist. These two interpretive methods – normative and narrative – give trans Jews, like the Sages, a way to remain faithful to the texts while adding our own insights. The pieces in this first section of Transkeit re-vision traditional Jewish text and observances through a trans lens.

Rabbi Rona Matlow's essay, "Gender and *Tanakh*: Exploring Rabbinic Interpretations of Gender and Sex in the Hebrew Bible," reviews the verses of Hebrew scripture that are of most interest to trans people. Ze surveys different historical perspectives of well-known Jewish commentators, and then concludes with hir own understanding of these topics from a contemporary trans point of view.

Matlow begins with the story of the creation of human beings in Genesis and explains that what might superficially be seen as the creation of binary gender, is actually more complex. Ze postulates that Judaism's monotheistic theology combined with the idea of humans created in God's image actually results in gender fluidity and multiplicity, rather than a rigid binary.

Matlow then explores the biblical verses associated with gender performance, specifically in relation to dress, facial hair, and surgical affirmation of gender identity. Lastly, Matlow unpacks the commonly mistranslated verses supposedly pertaining to gay sex and contextualizes them within a larger understanding of the meaning of the term "abomination" and its relationship to cultic and social roles. Matlow concludes by emphasizing the longstanding Jewish value of living authentically and how tradition supports that value for trans people.

The next essay, by Transkeit co-editor, Rabbi Jane Rachel Litman, "'He Is a Creation onto Herself': Gender Assignment in the *Talmud*," moves from the Hebrew Bible to the *Talmud* and *Midrash*. The essay delves into the roots of the popular contemporary Jewish trans idea that ancient Judaism defined six different genders: female, male, *androgynos*, *tumtum*, *aylonit* and *saris*. Litman discusses the difference between gender identity which is internally defined and performative for all people trans and cis, and gender assignment, which is an external socially determined norm. Litman asserts that no *Talmudic* texts deal with gender identity in the current meaning of that term. Litman then reviews the most significant texts in *Talmud* and *Midrash* that define assigned gender and its associated norms, and explicates some of the more difficult passages. Litman concludes that the terms *aylonit* and *saris* are subcategories of female and male respectively, and are assigned at puberty due to certain biological signifiers. However, the Talmudic categories *androgynos* and *tumtum* are clearly not within the binary female-male assigned gender system. Though they are not strictly gender identities in the current sense of the term, according to Litman, these categories of ancient gender assignment have considerable potential for *midrashic* interpretation and ongoing relevance for trans Jews today.

Rabbi Fern Feldman explains the multilayered gender fluidity associated with the Biblical depiction of the *Cherubim* (figurines) of the Ark of the Covenant. Her contribution, "Gender Fluidity, the *Cherubim*, and the Divine Presence," surveys both the *midrashic* and *kabbalistic* literature that analyzes the theological and mystical aspects of the *Cherubim*. Feldman shows that the *Cherubim* are a three-dimensional representation of the nature of God as both One and Many.

Rabbi Feldman, like Rabbi Matlow, makes the point that the frequent pairs mentioned in Jewish texts are not a sign of dualism, but are rather symbolic of the multiplicity and fluidity that exists within a state of interconnection. Feldman emphasizes that the *kabbalistic* understanding of binaries is not oppositional but rather relational as in the pairs of Rachel/Leah, breasts, wings, and the lips of the vulva. She points out that the issue is perspective, in that objects such as breasts, may seem discrete from one perspective but as parts of a larger whole from another perspective.

The *Cherubim* are described using both masculine and feminine gendered grammar, containing within them female, male and nonbinary aspects. Feldman posits that the *Cherubim* represent God, a trans God that is not contained in a single gender category.

The final two essays of the section move from textual analysis to practical application of the tradition. Rabbi Emily Aviva Kapor-Mater addresses the complex issue of *mikveh* (ritual bath) and how it can be reformulated to support trans people. "Transgender Affirmation in the *Mikveh*: A Proposal for a New Ritual" explains the importance of ritual in celebrating key life events and locates gender transition within that framework. Ritual creates a shared public acknowledgment of the significance of gender transition not only for the individual but for the community as well.

Kapor-Mater believes that among the many of Jewish rites and symbols, *mikveh* is uniquely suited to the affirmation of gender transition. She emphasizes how the *mikveh* itself is a vehicle for transition between states of being; immersing in a *mikveh* bestows ritual purity on vessels and utensils and is central to the ritual of conversion. It brings that which is in the margins or not useful in its present state into the collective consciousness.

Kapor-Mater does not shy away from some of the problems currently associated with *mikveh*. Since its primary contemporary usage is to ritualize women's change from menstruating to potentially fertile, the *mikveh* can take on aspects of cis-female gender essentialism. Even when supposedly reclaimed by feminists, who move away from the mandatory

connection of femaleness and procreativity, the associated imagery of moon cycles and wombs is exclusionary to trans men, nonbinary people, and particularly to trans women, whose female identity is definitely not defined by wombs and moon cycles. In using the *mikveh* as the core element in a new ritual of gender affirmation, Kapor-Mater works to liberate the institution from essentialism and bring it both back and forward to a greater inclusivity.

One of the most striking aspects of Kapor-Mater's piece is that it draws on previous Jewish trans affirmation rituals. It is a mark of the progress of our movement that Kapor-Mater is able to cite and expand upon the work of trans activists and theorists such as Elias Andrew Ramer, Max Strassfeld, Joy Ladin, Catherine Madsen, and Elliot Kukla. A notable feature of this essay is the seamless integration of traditional Hebrew prayer language, scriptural passages, and modern theological concepts.

Another sign of the maturation of the trans Jewish movement is Noach Dzmura's insightful guidance on the challenging concern of expanding the historically gendered nature of Jewish burial. Dzmura situates his thoughts on the *chevra kadisha* (burial society) within a larger understanding of his work as a leader in the trans Jewish movement. He weaves together his personal story as a trans Jew and his topic to create a multifaceted approach to rethinking Jewish perspectives and rituals that care for the bodies of those who have died.

Dzmura's chapter "Supporting the Chevra Kadisha/Burial Society Through Transition," uses the journey of gender transition as a model for constructive change. In Dzmura's view, transition is not a radical break from the past, but rather a process through which dysfunctional ethics and perspectives become authentic and healthy. Dzmura presents five transitions that bring Jewish tradition in alignment with trans values. These transitions in practice welcome trans Jews specifically, and all Jews and allies in terms of inclusivity and personal respect.

The first transition is a change in focus from the body of the dead person to their full humanity in life. This transition guides practitioners away from binary gender segregation based on the morphology of body parts and toward a holistic understanding of a complex human being. Other transitions challenge shame-based customs, normative assumptions, exclusionary practices, inflexibility, and lack of diversity. Dzmura unpacks the dysfunction, then provides guidance toward a more compassionate and just way forward.

We are not at the very beginning of the endeavor of bringing trans understandings fully into the rich tapestry of Jewish tradition. The five essays of this section of Transkeit all reflect the previous research and

writings of trans Jews and allies. However, we are still in the formative stage of bringing new insights about gender authenticity into centuries of Jewish textual interpretation and practice. These pieces are intended to provoke questions as much as to provide answers.

CHAPTER ONE

GENDER AND *TANAKH*: EXPLORING RABBINIC INTERPRETATIONS OF GENDER AND SEX IN THE HEBREW BIBLE

RABBI RONA MATLOW

The *Tanakh*, or Hebrew Bible, is the foundation on which Judaism is based, and is also included in Christian and Islamic teachings, making it a building block of Western Society. The *Tanakh* has a number of verses that pertain to gender transition and sexuality. This essay will explore some of these verses in order to help trans and nonbinary people better understand the Hebrew Bible, and to increase religious tolerance for those who are trans, especially among those who might tend to question or condemn trans identity and expression. This work is not a determination of *halachah* (Jewish law). Rather, it seeks to provide an open-minded look at the Hebrew Bible. It is important to note that Jewish practice rests on hundreds of years of rabbinic interpretation rather than Biblical literalism, and therefore Jews do not derive law from the plain meaning of any Biblical text.

All translations in this work are my own. There are some theological issues associated with representing God's name. I use H', which is short for *HaShem*, literally "The Name." This usage avoids gender and status language.[1]

[1] While Jewish tradition sees God as the "Almighty," many people have differing views of theology that may not support this. Eliminating status language makes this work accessible for all.

The Creation of Humanity: Is the Creation story anti-trans?

> Genesis 1:27: God created the Adam (human) in God's image; in the image of God, God created (the human); (a single) male and female (entity) God created them.

The common understanding of this verse is that God created a gender binary human race composed of males and females. However, rabbinic interpretation makes clear that God created a single human entity that had both male and female characteristics. When one considers that God created humans in God's image, this makes sense. God has myriad characteristics. If humans are created in God's image, a point which is doubled for emphasis in the verse, then humans have multiple characteristics as well. The Hebrew word "*Adam*" means "human" rather than being a proper name.

Midrash Bereshit Rabbah 8:1 reads: Rabbi Yirmiah, the son of Elazar, said: when the Holy One Blessed is God created the first Adam (human); God created Adam androgynous. Thus, it is written: male *and* female God created them. Rabbi Shmuel, the son of Nachman, said: When the Holy One Blessed Be He created the first human, it was created with two front sides, and then God split it, creating for it two backs, a back here and a back there.

Midrash Vayikra Rabbah 12:2: Rabbi Samuel b. Nahman said, "At the time that the Holy One, Blessed Be He, created the Human, God created him as an *androgynos*." Resh Lakish said, "At the time that [Adam] was created, he was made with two faces, and [God] sliced him and gave him two backs, a female one and a male one, as it says: 'And He took from his sides' (Genesis 2:21)"

This *midrash* (stories expanding on the Bible) states that the first Adam (human) was an androgynous being. The text supports this radical understanding that humanity is not binary. The Bible teaches that humans exist on a gender and sexuality spectrum. Thus, those who fall into categories other than cis/hetero/binary are not deviating from God's creation. We are rather honoring God's creation by being as God created us. We were created by God to have multiple characteristics, and we thus honor God's creation by being ourselves.

Living Trans

There are several laws in *Tanakh* that impact transitioning. It is important to bear in mind once again, that Judaism is a rabbinic religion, and therefore draws its meaning primarily from interpretation, rather than from literal Biblical text alone.

Cross Gender Dressing

> Deuteronomy 22:5: Women shall not wear men's clothing (lit. men's instruments) and men shall not wear women's clothing—because all who do this are (carrying out) an abomination (*to'evah*) to H' Your God.

This is pretty bold—to cross dress is to carry out an abomination. But what is the verse addressing here? Let's take a look at some rabbinic interpretation to help our understanding. We will explore the concept of *to'evah* later in this essay.

Talmud Nazir 59a: Why does scripture say, "Women shall not wear men's instruments and vice versa?" If it is merely to teach that a man should not dress in a woman's garment, not a woman in a man's garment, behold it says that this is a *to'evah* (abomination), but there is no *to'evah* for that! It must mean therefore that a man should not put on a woman's garment as a disguise in order to socialize with women or vice versa.

Rashi, an 11th century French rabbi, considered the most important commentator on the Bible and Talmud, argues along similar lines: Women shall not wear men's clothing: so they would be like men, and go among the men; the only purpose for this is (to commit) adultery.

A different take is found in the following: *Sifre* (a commentary on Numbers and Deuteronomy, 2nd century CE) reads: R' Eliezer son of Jacob says: a woman should not wear weapons and go to war.

Ibn Ezra, a Bible commentator from 12th century Spain says: An insistence on going to war; (this is forbidden) since woman was created to raise children.

These readings confront the transgressing of traditional gender roles. In Judges Chapters 4 and 5, Devorah and Yael are portrayed as heroic warriors. This makes these latter commentaries more challenging. Tanakh is best read in the context of its own world. Rabbinic interpretation suggests that later Jewish society did not oppose cross dressing per se. One might infer, then, that the cross dressing prohibition carries less weight, given differing social gender roles today.

Male Facial Hair

To explore our next verse, we need the tools of traditional Jewish exegesis created by Rabbi Ishmael. The important rule here is: *An item is explained by its context or the passage that follows*.

Leviticus 19:27b: *Do not destroy the corner of your beard.* This verse appears straightforward, until we see the following verse: Leviticus 19:28: *Do not cut your skin (in grief over death of) a soul... I am H'* This verse confronts grief practices in the Land of Canaan. From Rabbi Ishmael's rule, then we might infer that destroying the beard is an act of grief. Note that in modern Islam there are still rites of skin cutting in grief. However, when we remove our beards as an expression of transition, we are celebrating life, not grieving death!

Male Genitals

The male genitals had great importance in Biblical thought. When a man made a vow, he placed his hand "under the thigh" of the other – this actually signifies holding the other man's penis. *Brit Milah* – ritual circumcision, is commanded to Abraham in Genesis. The penis is the source by which men fulfill their obligation to be fruitful and multiply. Anything that damages the male genitals is of great concern.

> Deuteronomy 23:2: No person with wounded, crushed (testicles) or removed male genitals shall enter the congregation of H'.

This prohibition may refer to converts to Judaism or a prohibition on a man with damaged genitalia marrying. There are additional verses pertaining to animals and priests[2] with damaged or destroyed genitals. Of the Biblical laws that may impact on transitioning, this is the most difficult to confront. In the ancient world there were many reasons why male genitalia were removed; most involved slavery. Since Jews were free people, the absence of genitals symbolized a conflict with freedom.

But is this really a problem for a trans woman? Let's first consider the following:

> Isaiah 56:3b-5: The eunuch shall not say "behold, I am a dried out tree." Because thus says H' to the eunuchs who observe my Sabbaths and who choose what I prefer, and hold to My covenant. I shall give to them, in My

[2] Leviticus 22:24, Leviticus 21:20.

> house and inside My walls, *a memorial and a name*, better than sons and daughters, I give him an eternal name that shall never be destroyed.

This comes from the prophetic reading for public fast days, so it is one of the most frequently read prophetic readings in synagogues. The Rabbis who assigned prophetic readings saw this verse as highly significant in that it restores hope to those who feel cut off—literally or figuratively—due to a reading of Biblical Law.

These prohibitions on cross-dressing, the removal of the beard and destruction of male genitalia must be considered in transitioning. Note that removal of the beard and genitals only concern people who were assigned male at birth. In all of these prohibitions there are textual challenges and interpretations that suggest that they might mean something other than a literal understanding of the text.

Is Gay Sex Prohibited?

We will now explore perhaps the most controversial verse in the Bible. This appears in Leviticus, in the Holiness Code. The Christian Bible (Romans 1:26-27, 1 Corinthians 6:9-10, 1 Timothy 1:9-10) displays great distaste for sexual variance, including gay sex. There are a number of verses in the Qur'an that show distaste for gay sex, including 7:80-84, 26:165-6, 4:16.

> Leviticus 18:22: And you, male, shall not have penetrating sex with another man, in the *ways* of having penetrating sex with a woman; it is an abomination.

This is understood by many as a clear, unambiguous prohibition. However, a close reading shows that this verse is very problematic, and there are multiple ways to see that it might not be talking about private, consensual sex, between two partners. Recalling the interpretive principle that verses can be best understood in context with adjacent verses, it is helpful to examine the preceding verse:

> Leviticus 18:21: Do not cause your children to pass through fire to Molekh, and do not disgrace the name of your God, I am H'.

This verse is a prohibition on child sacrifice! This is a cultic ritual, believed to have been practiced by Canaanite Pagans. So, by the rule of context that we explored earlier, the apparent prohibition on gay sex which appeared in 18:22 might be confronting some sort of cultic, orgiastic ritual.